

DTW



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Spiridigliozzi, et al.

Examiner: Christopher D. Prone

Serial No.: 10/643,315

Group Art Unit: 3738

Filed: August 19, 2003

Docket: 760-100 CIP

For: Composite ePTFE/TEXTILE  
PROSTHESIS

Dated: August 1, 2005

I hereby certify this correspondence is being deposited with  
the United States Postal Service as first class mail, postpaid in  
an envelope, addressed to: Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450

Date: August 1, 2005

Signature: Barbara Thomas/

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This Response is a reply to the Requirement for Restriction, mailed July 1, 2005, a response to which is due August 1, 2005. The Response is believed to be timely filed with Certificate of Mailing on August 1, 2005.

**REMARKS**

The application is subject to a restriction requirement. The Examiner alleges that the application contains claims directed to the following patentably distinct species of the claimed invention: a composite multilayer implantable material.

Species A: Fig. 2

Species B: Fig. 3

Upon election from the above species, a further election from the following subspecies is required.

Species C: wherein the pleats are of uniform length.  
Species D: wherein the pleats are of variable length.

Upon election from the above species, a further election from the following subspecies is required.

Species E: wherein the pleats have uniform spacing.  
Species F: wherein the pleats have variable spacing.


The Examiner further contents that no claims are considered generic and that applicant must include an identification of the species that is elected and a listing of all claims readable thereon.

In response to the Examiner's requirement for election of species, Applicants hereby identify as the elected species depicted in Figure 2 (Species A), wherein the pleats are of uniform length, (Species C) and wherein the pleats have uniform spacing (Species E). Applicant submit that claims 1-15, 17, 19-33, 35, 37 and 39-46 are readable thereon.

Having responded in full to the restriction requirement and to the requirement for election of species, the application is now deemed to be in condition for examination. Favorable action thereon is respectfully solicited.

Should the Examiner have any questions or comments concerning this matter, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

  
Stephen Cannavale  
Reg. No. 44,585  
Attorney for Applicant

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(973) 331-1700